(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

WRIT PETITION NO. 17 OF 2004

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Ms. Pooja Bharne, advocate for the petitioners.

Mr. A. B. D'Sa, advocate for the respondent.

CORAM : D. G. KARNIK, J.

DATE : 18th March, 2004

P.C.:

This Writ Petition is directed against the Order passed in Misc. Civil Appeal No. 4/2003. The appeal itself was directed against an interlocutory order of injunction. No ground is made out for interference at this stage.

2. Learned counsel for the petitioners submitted that certificate dated 5th February, 2003, issued by the Sarpanch was not allowed to be produced in appeal. The fact about the location of a

house stated in the certificate cannot be proved by means of a certificate. Location of the house would have to be proved by adducing evidence. A certificate of a Sarpanch, without formal proof and without examining the Sarpanch as a witness is not a proof of the contents of the certificate.

Hence the petition is rejected.

D. G. KARNIK, J.

mc.